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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/810,018 | 03/26/2004 | Carlos Mario Candeloro | | 7742 |

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EXAMINER

CHAMPAGNE, LUNA

ART UNIT

PAPER NUMBER

3627

MAIL DATE

DELIVERY MODE

04/30/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/810,018

Applicant(s)

CANDELORO, CARLOS MARIO

Examiner

LUNA CHAMPAGNE

Art Unit

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/5508)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being unpatentable by Jensen (2002/0107697 A1).

Re claim 1, Jensen teaches post comprising information identifying an intended recipient functionally linked to a formatted proposal (*see e.g. paragraph 0085*).

Re claim 2, Jensen teaches a post wherein the formatted proposal comprises an offer to transfer units of value from a first entity to a second entity pursuant to said formatted proposal (*see e.g. paragraph 0054, lines 13-21*).

Re claims 3, 4, 5, Jensen teaches a post wherein the formatted proposal comprises an offer to transfer units of value from a first entity to a second entity upon receipt of said post; the formatted proposal comprises an offer to transfer units of value from a first entity to a second entity upon access to the post by the recipient; the formatted proposal comprises an offer to transfer units of value from a first entity to a second entity upon deletion of the post by the recipient (*see e.g. paragraph 0109*).

Re claim 6, Jensen teaches a method for monetizing transfer of information, said method comprising: storing a first value comprising an identifier for a first entity (*see e.g. paragraph 0098*); storing a second value comprising an entity specific unit based amount, wherein said second value is linked to said first value (*see e.g. paragraph 0082, lines 3-9*); receiving information from a second entity, wherein the information comprises an addressee comprising said first value (*see e.g. paragraph 0107, line 1; paragraph 0108, lines 1-3*); transferring a unit based amount comprising said second value from the second entity to the first entity (*see e.g. paragraph 0048, lines 9-12; paragraph 0180- lines 17-19*); posting the received information to said first entity (*see e.g. paragraph 0100- lines 6-10*).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 7-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen (2002/0107697 A1) as applied to claim 6 above, and further in view of Bednar et al. (5,832,460).

Re claims 7, 8, 9, Jensen does explicitly teach a method wherein the information further comprises a second entity specific unit based amount specified by the second entity, said method further comprising: transferring a unit based amount comprising said second entity specific unit based amount from the first entity to the second entity upon an action comprising access to said information by said first entity, reply to such information by said first entity.

However Bednar et al. teach a method wherein the information further comprises a second entity specific unit based amount specified by the second entity (see e.g. col. 2, lines 54-56), said method further comprising: transferring a unit based amount comprising said second entity specific unit based amount from the first entity to the second entity upon an action comprising access to said information by said first entity, reply to such information by said first entity (see e.g. col. 2, lines 57-63, col. 4, lines 10-18).

Therefore, it would have been obvious, at the time of the invention, to modify Jensen and include the steps cited above, in order to increase flexibility and allow payment to be processed on a non-exception basis.

It is considered a design choice to transfer unit based amount upon deletion of information. For example, in paragraph 0109, Jensen shows different ways of determining when to transfer unit the based amount.

Re claim 10, Jensen teaches a system comprising a processor functionally linked to a storage element and a network, wherein the storage element comprises a

database, the database further comprising a) a record comprising a first value comprising an identifier for a first entity (*see e.g. paragraph 0098*), b) a second value comprising an entity specific unit based amount, wherein said second value is linked to said first value (*see e.g. paragraph 0082, lines 3-9*),

However, Jensen does not explicitly teach a transaction table, a post table, wherein upon receipt by the processor via a network of a post from a second entity addressed to the first entity, the processor performs a method comprising storing the post in the post table and recording a transaction in the transaction table, wherein the transaction recorded comprises a third value comprising the first entity, a fourth value comprising the second entity, and a fifth value comprising a link to the stored post

However, Bednar et al. teach a transaction table (*bill database 304 - col. 3, lines 11-12*), and a post table (*template database 306 - col. 4, lines 32-34*), wherein upon receipt by the processor via a network of a post from a second entity addressed to the first entity, the processor performs a method comprising storing the post in the post table and recording a transaction in the transaction table, wherein the transaction recorded comprises a third value comprising the first entity (*customer's account number*), a fourth value comprising the second entity (*bill originator's account receivable data*) (*see e.g. col. 4, lines 24-34*), and a fifth value comprising a link to the stored post (*see e.g. fig. 5/col. 2, lines 18-19*).

Therefore, it would have been obvious, at the time of the invention, to modify Jensen and include the steps cited above, in order to automate the system and decrease potential cost and delay.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kunigami (5,508,817), Biliris et al. (6,0472,72), Enyart (2006/0041505 A1), Hansen et al. (2003/0130940 A1), "Selling interrupt rights: A way to control unwanted e-mail and telephone calls" by IBM Systems Journal, Vol. 41, No 4, 2002.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LUNA CHAMPAGNE whose telephone number is (571)272-7177. The examiner can normally be reached on Monday - Friday 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on (571) 272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/F. Ryan Zeender/

/Luna Champagne/

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Supervisory Patent Examiner, Art Unit 3627

Examiner, Art Unit 3627

April 19, 2008